IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT PETITION LODGING NO.2369 OF 2006

Saroj Constructions. ..Petitioner

Vs.

State of Maharashtra & Ors... ..Respondents

Mr. V.B. Ghorpade, for the Petitioner
Mr. Pradeep Jadhav, AGP for respondent No.1.
Mr. G.D. Utangale, for respondent No.2.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.
DATE: 16TH OCTOBER,2006

P.C.

. Respondent No.4 had appointed Respondent No.3 as the Developer pursuant to an Agreement of 1998. That agreement came to be terminated on 10th January, 2004 and respondent No.4 appointed one M/s.Midas Builders as the developers. The respondent No.2 after hearing the respondent No.3 and M/s.Midas Builders have approved the appointment of Respondent No.4.

2. It is the case of the petitioners that they were appointed as developers by the society in the year 2000. We are unable to comprehend as to how the petitioners could be appointed as developers when there was a subsisting contract by respondent No.4 with respondent No.3 and which contract was terminated only on 10th January, 2004. Considering the above, we find no merit in the case of the petitioners,which is accordingly dismissed. No order as to costs.

(F.I. REBELLO, J)

(**ANOOP V. MOHTA,J).**